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\*Admitted only in Maryland  
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March 11, 2005

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Art Unit 2667**  
**Mail Stop Amendment**

Re: U.S. Utility Patent Application  
Application No. 09/710,238; Filed: November 9, 2000  
For: **Pre-Equalization Technique For Upstream  
Communication Between Cable Modem And Headend**  
Inventors: QUIGLEY *et al.*  
Our Ref: 1875.132000G (*as amended*)

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038) in the amount of \$180.00 to cover the Information Disclosure Statement Surcharge;
2. Fee Transmittal Form;
3. Reply under 37 C.F.R. § 1.111;
4. A copy of the Express Abandonment package as filed on March 3, 2005 in U.S. Patent Appl. No. 09/430,821, including copies of the SKGF Cover Letter, Form PTO/SB/24, and postcard date-stamped by the U.S. Patent and Trademark Office;
5. Supplemental Information Disclosure Statement;
6. Form PTO-1449 listing three (3) documents;
7. Request for Change of Attorney Docket Number; and
8. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
March 11, 2005  
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

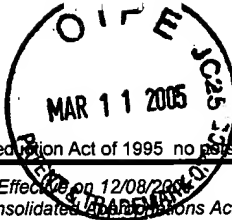
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NDD/sjc  
Enclosures

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PTO/SB/17 (12-04)

Approved for use through 07/31/2006.

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Effective on 12/08/2004  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$180.00

### Complete if Known

|                      |                           |
|----------------------|---------------------------|
| Application Number   | 09/710,238                |
| Filing Date          | November 9, 2000          |
| First Named Inventor | Thomas J. QUIGLEY         |
| Examiner Name        | Boakye, A.                |
| Art Unit             | 2667                      |
| Attorney Docket No.  | 1875.132000G (as amended) |

### METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

#### 2. EXCESS CLAIM FEES

| Fee Description   | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent            | 50       | 25                    |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200      | 100                   |
| Multiple dependent claims   | 360      | 180                   |

Total Claims - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_ Fee Paid (\$)  
HP = highest number of total claims paid for, if greater than 20  
Indep. Claims - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_ Fee Paid (\$)  
HP = highest number of independent claims paid for, if greater than 3

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_ Fee Paid (\$)

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Information Disclosure Statement Surcharge

Fees Paid (\$)

\$180.00

### SUBMITTED BY

|                   |                         |                                      |            |           |                |
|-------------------|-------------------------|--------------------------------------|------------|-----------|----------------|
| Signature         | <i>Nicole D. Dretar</i> | Registration No.<br>(Attorney/Agent) | 54,076     | Telephone | (202) 371-2600 |
| Name (Print/Type) | Nicole D. Dretar        | Date                                 | 03-11-2005 |           |                |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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